

REMARKS

Favorable reconsideration is respectfully requested in light of the following remarks:

Currently, Claims 1 and 2 are pending in the present application.

Claims 1 and 2 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,235,147 to *Lee et. al.*

Independent Claim 1 recites a discharging method of solid matter for discharging solid matter stored in a container from said container, said method characterized in comprising the steps of supplying a discharging liquid into said container to generate a spiral flow of said liquid and said solid matter therein; and discharging said liquid and said solid matter present in the form of said spiral flow from a discharge port formed in a bottom of said container.

As recited in the preamble, the discharging method applies to discharging solid matter stored in a container. In contrast, *Lee* relates to a wet etching facility for manufacturing a semiconductor device. Therefore, the field of the invention of the cited reference is significantly different from that of the present invention. Moreover, the claimed features of the present invention are not disclosed in *Lee*. For example, the present invention recites generating a spiral flow of a mixture of a liquid and the solid matter by supplying a discharging liquid into the container. On the contrary, the invention of *Lee* intends to make a spiral flow of chemical 3 only.

Furthermore, in the present invention, the discharging liquid is supplied so as to forcefully generate the spiral flow of the mixture of the liquid and solid matter. On the contrary, the invention of *Lee* does not intend to generate the spiral flow. That is, a slight spiral flow of the chemical 3 is merely generated in association with rotation of a wafer guide 30. In other

words, the liquid supplied from nozzle 21 and the rotation of the wafer guide 30 does not intend to actively generate the spiral flow of the chemical 3.

Lastly, the present invention recites discharging not only the liquid but also the solid matter. On the contrary, the invention of *Lee* discharges only liquid (chemical 3). According, *Lee* fails to disclose the patentable features of independent Claim 1.

For at least the foregoing reasons, it is submitted that the method of independent Claim 1, and the claim depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, it is respectfully requested that the undersigned be contacted at the number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,

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DRINKER BIDDLE & REATH LLP
Customer No. 55694
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel. No.: 202-842-8800
EPS:mk

By:


Elaine P. Spector
Reg. No. 40,116
Attorney for Applicants
Tel. No.: (202) 842-8863
Fax No.: (202) 842-8465